

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

WILLIAM P. LEHR, )  
Plaintiff, )  
 )  
v. ) ) No. 3:11-CV-615  
 ) (Phillips/Shirley)  
MICHAEL J. ASTRUE, )  
COMMISSIONER OF SOCIAL SECURITY, )  
Defendant. )

**JUDGMENT ORDER**

For the reasons stated in the memorandum opinion filed contemporaneously with this order, the report and recommendation of the magistrate judge [Doc. 17] is **ACCEPTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

**IT IS ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that the Commissioner's motion for summary judgment [Doc. 14] is **DENIED**; the plaintiff's motion for summary judgment [Doc. 12] is **GRANTED in part**; whereby this case is **REMANDED** to the Commissioner for further proceedings.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge